

**DEPARTMENT OF FINANCE BILL ANALYSIS**

**AMENDMENT DATE:** June 22, 2010  
**POSITION:** Neutral

**BILL NUMBER:** AB 2432  
**AUTHOR:** J. Perez

**BILL SUMMARY: Facilities: Prepacked Nonpotentially Hazardous Foods**

This bill would establish a tiered statewide standard to permit nongrocery retailers to sell prepackaged, nonpotentially hazardous food products by exempting permanent food facilities with food display areas of less than 300 square feet that sell only prepackaged food that is not potentially hazardous food, from the requirements of the California Retail Food Code (CRFC), Part 7 of Division 104 of the Health and Safety Code, except as follows:

- A permanent food facility with a food display area of 25 square feet or less must comply with CRFC provisions relating to proper food storage, inspections and enforcement, impoundment of food, penalties, and owner/operator responsibilities.
- A permanent food facility with a food display area of 26 to 299 square feet also must comply with CRFC provisions relating to permits, notification, imminent hazard and temporary suspension, and post hearing penalties.

**FISCAL SUMMARY**

The Department of Public Health and the Department of Food and Agriculture do not estimate additional costs as a result of this bill.

**COMMENTS**

The Department of Finance is neutral on this bill as it results in no additional costs to the state.

Variations in local interpretations and enforcement of state law regarding non-hazardous food sold at nongrocery retailers could result in significant unexpected costs to retailers. This bill clarifies state law governing the incidental sale of prepackaged food items sold at non-grocery retailers.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	Code
4265/PublicHealth	SO	No	-----	No/Minor Fiscal Impact	-----				0001
8570/Food & Ag	SO	No	-----	No/Minor Fiscal Impact	-----				0001

Analyst/Principal (0551) B. Nunes	Date	Program Budget Manager Lisa Ann L. Mangat	Date
--------------------------------------	------	--	------

Department Deputy Director	Date
----------------------------	------

Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

**BILL ANALYSIS** Form DF-43 (Rev 03/95 Buff)